

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Cory Montae Macon

Docket No. 5:04-CR-358-1BO

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Cory Montae Macon, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Convicted Felon, in violation of 18 U.S.C. § 922(g)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on July 18, 2005, to the custody of the Bureau of Prisons for a term of 100 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years. Cory Montae Macon was released from custody on August 7, 2015, at which time the term of supervised release commenced.

A Violation Report was submitted informing the court of the defendant's April 30, 2016, citation for Expired Registration Card/Tag (16CR725789) in Wake County, North Carolina, and Possession of Open Container/Consumption of Alcohol in Passenger Area (16IF721020) in Wake County, North Carolina. These charges were dismissed on June 10, 2016, and November 7, 2016, respectively.

On April 14, 2017, the defendant's case was reassigned to United States District Judge Terrence W. Boyle.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On December 21, 2016, the defendant received a citation for Driving with an Expired Registration Card/Tag in Wake County, North Carolina (16CR769471). On January 13, 2017, the defendant was arrested for Expired Registration Card/Tag and Expired/No Inspection (17CR70015), Driving While Impaired, and Civil Revocation Driver's License (17CR50068) in Franklin County, North Carolina. The defendant was released on a \$1,000 secured bond, and these charges remain pending. The defendant acknowledges the new charges and has agreed to undergo a substance abuse assessment/treatment for his alcohol issues. As a sanction, we are recommending he comply with the location monitoring program and be subject to a curfew for 60 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: April 18, 2017

ORDER OF THE COURT

Considered and ordered this 18 day of April, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
Senior U.S. District Judge